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PTO/BB/64 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL F AN APPLICATION FOR PATENT ABAND NED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
2876-4432US

First named inventor: Baetselier et al.

Application No.: 09/598,101

Group Art Unit: 1645

Filed: June 16, 2000

Examiner: V. Ford

Title: PEPTIDES AND NUCLEIC ACIDS DERIVED FROM EISENIA FOETIDA AND THE USE THEREOF

Attention: Office of Petitions
Commissioner for Patents
Box DAC
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity - fee \$640.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
☒ Commissioner is hereby authorized to charge this fee to Deposit Account Number 20-1469.

☐ Other than small entity - fee \$_____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of a Communication (identify type of reply):

- ☒ has been filed previously on July 19, 2002.
☐ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____.
☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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3. Terminal disclaimer with disclaimer fee

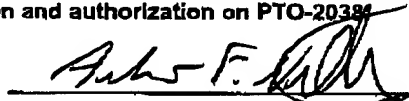
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. (NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))).

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October 31, 2002

Date



Signature

Telephone
Number: (801) 532-1922

Andrew F. Nilles, Reg No. 47,825

Typed or printed name
Customer Number: 24247

P.O. Box 2550

Address

Salt Lake City, UT 84110

Enclosures: ☐ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other : _____

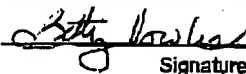
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October 31, 2002

Date



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Betty Vowles

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Intellectual Property Attorneys

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Telephone No.:

From: **Andrew F. Nilles**Serial No.: **09/596,101**Client/matter number: **2676-4432US**Group Art Unit: **1645**

Message/Comments:

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